

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
)	File Nos.
GU HOLDINGS, INC.,)	
EDGE CABLE HOLDINGS USA, LLC)	SCL-LIC-20170421-00012;
and)	SCL-AMD-20171227-00025;
PACIFIC LIGHT DATA)	SCL-STA-20180907-00033;
COMMUNICATION CO. LTD.)	SCL-STA-20190327-00011;
)	SCL-STA-20190906-00032;
Application for a License to Construct,)	SCL-STA-20200129-00006;
Land, and Operate an Undersea Fiber Optic)	SCL-STA-20200313-00014;
Cable Connecting the United States, Hong)	SCL-STA-20200402-00015.
Kong, Taiwan, and the Philippines.)	

MOTION FOR EXTENSION OF TIME

Pacific Light Data Communication Co. Ltd. (“PLDC”), by its undersigned counsel and pursuant to 47 C.F.R. § 1.46, hereby moves for an extension of time to file its response in opposition (the “Opposition”) to the Executive Branch Recommendation for a Partial Denial and Partial Grant of the Application for a Submarine Cable Landing License for the Pacific Light Cable Network (the “Recommendation”) filed by the National Telecommunications and Information Administration (the “NTIA”), on behalf of the Executive Branch of the United States Government (the “Executive Branch”), on June 17, 2020, for an additional thirty (30) days to September 7, 2020. In support of this Motion, PLDC states as follows:

1. On June 17, 2020, the NTIA filed the Recommendation on behalf of the Executive Branch, recommending that the Federal Communications Commission (the “Commission”) deny the Application for a Submarine Cable Landing License for the Pacific Light Cable Network, originally filed on April 21, 2017 (the “Application”), “with respect to PLCN’s connection to Hong Kong and with respect to PLCN’s foreign owners, Hong Kong-based [PLDC] and China-based ultimate

parent entity Dr. Peng Telecom & Media Group Co., Ltd [Dr. Peng Group].” Recommendation at

1. The current deadline for PLDC to file its Opposition is August 6, 2020.
2. The Executive Branch’s Recommendation is comprised of three broad arguments. First, the Executive Branch alleges that the current national security landscape raises concerns about the risk that the People’s Republic of China (the “PRC”) will acquire sensitive personal data from U.S. persons and the U.S. government. In support, the Executive Branch points to an increase in the PRC’s cyber-espionage capabilities, new digital infrastructure projects, and the development of new intelligence and national security laws. Second, the Executive Branch argues that the proposed structure and technical specifications of the Pacific Light Cable Network (“PLCN”) exacerbate these concerns due to the PLCN’s unparalleled speed, market competitiveness, and its landing within PRC territory in Hong Kong. Finally, the Executive Branch alleges that PLDC supports the PRC’s government infrastructure goals, has business connections with PRC intelligence, and is subject to PRC national security laws.
3. PLDC intends to file the Opposition as swiftly as possible, but it will be difficult for PLDC to file its Opposition in the short time provided. The Recommendation is a comprehensive 59-page document with over 200 footnotes and an annex of over 100 exhibits. Accordingly, responding to the Recommendation will be a time-consuming undertaking, requiring examination and analysis of large numbers of documents and arguments.
4. The Executive Branch supports the Recommendation with technical arguments as to the PLCN’s structure, ownership, security, and technical capabilities, and recent trends in the global telecommunications and internet data markets. Adequately responding to these assertions will be time-consuming as it may require coordination with GU Holdings and Edge Cable Holdings USA, and with telecommunications experts. It is possible that, after review of the issues, PLDC may wish to submit expert testimony as to some matters.
5. The Recommendation also asserts that PLDC has strong connections to the PRC and its intelligence services and is subject to Chinese national security law. Review of these allegations will be time-

consuming as it will require the review and coordination with Chinese lawyers and scholars on the issues of Chinese law. It may also require the collection of further documents and information from PLDC, its employees, and affiliates. These materials may need to be reviewed for privilege and business confidential information and may need to be translated from Chinese into English, which will be further delayed due to the 12-hour time difference between the undersigned counsel and PLDC.

6. PLDC is also actively evaluating potential strategies to mitigate the issues raised by the Executive Branch in a manner consistent with the Recommendation. PLDC will require additional time to consider these mitigation strategies and to discuss them with its domestic and international partners.
7. The aforementioned difficulties are compounded by the global COVID-19 pandemic, which is affecting China and the United States. Many of the persons who will be involved in preparing the Opposition are unable to travel and are working from home. As a result, coordination among these individuals will be complex and may occasion more delay than would ordinarily be expected.
8. There will be no prejudice to any party by the provision of a brief extension to file an Opposition to the Recommendation. Allowing PLDC to develop its response and file a complete Opposition is essential to due process and will enable the Commission to make an informed decision based on a comprehensive record of the parties' arguments and facts.
9. For the foregoing reasons, PLDC requests that the Commission extend the time for its response to the Recommendation by an additional thirty (30) days, to September 7, 2020. PLDC submits that this brief extension will not cause prejudice to any person and is reasonable and justified by the significant challenges it faces in reviewing the extensive information contained in the Recommendation, coordinating with third parties and experts, and the COVID-19 pandemic.

WHEREFORE, PLDC requests that the Commission grant this motion and extend the time for its response to the Recommendation to September 7, 2020.

Respectfully submitted,

By: 

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CERTIFICATE OF SERVICE

I, Meg Utterback, certify that on this 13th day of July, 2020, I caused a copy of this Motion for an Extension of Time on the following via email and via first-class U.S. mail postage pre-paid.

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